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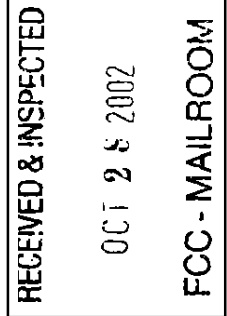
C4C 203

Federal Communications Commission  
Washington, D.C. 20554

October 23, 2002

Mr. Al Boyd  
3607 Thomason  
Midland, Texas 79703

Dear Mr. Boyd:

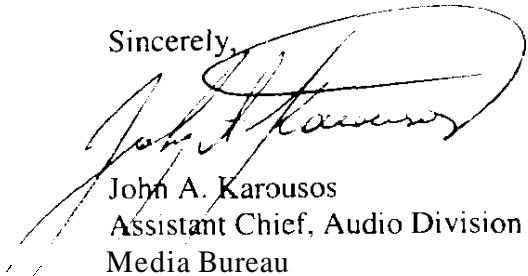


This is in response to the Petition for Rule Making you filed on August 26, 2002, proposing the allotment of Channel 287A to Odessa, Texas, as the community's sixth local FM broadcast transmission service.

Your request is unacceptable for consideration as filed. Our engineering analysis indicates that the site which you specify in your proposal (31-42-51 NL and 102-23-01 WL) can not be site restricted to clear the license sites of Station KACT-FM, Channel 288A, Andrews, Texas and Station KKJW, Channel 290C2, Stanton, Texas, because it would not comply with the city grade coverage requirements described in Section 73.315 of the Commission's Rules. The proposed Class A facility is required to provide a 70 dBu signal to the entire community of Odessa from the requested site. Although the Commission's concerns at the rule making stage do not generally require detailed showings concerning the availability or suitability of a specific transmitter site, we do, however require that a proposed site provide city grade coverage to an entire community, in accordance with Section 73.315 of the Commission's Rules.

Based on the above discussion, we are returning your Petition for Rule Making. *You* may resubmit your petition provided that it is in compliance with Section 73.315 of the Commission's Rules.

Sincerely,



John A. Karousos  
Assistant Chief, Audio Division  
Media Bureau

Enclosure

**MBC CONSUL**  
BROADCAST COMMUNICATIONS

P.O. BOX 433  
MOUNT VERNON, TX 75457

LEO ASHCRAFT  
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R-

FCC - MAILROOM

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FAX (903) 524-2260  
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Tuesday, August 28, 2002

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
The Portals, TW-A325  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

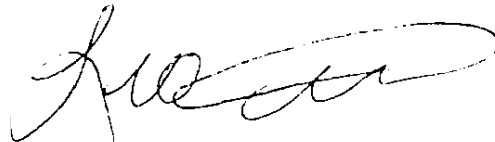
**Re: Petition for Rulemaking to Amend section 73.202(b)  
Table of Allotments, Odessa, Texas.**

Dear **Ms.** Salas,

Transmitted herewith on behalf of Al Boyd is an original and four copies of a Petition for Rulemaking to amend the Table of Allotments for FM broadcasting stations. The Petition proposes to allot channel 244A to Odessa, Texas.

Should there be any questions, please contact the undersigned consultant.

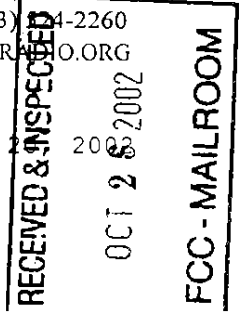
Sincerely,



Leo Ashcraft  
Consultant for Odessa, TX

Enclosures: Original and four copies of Petition For Rulemaking

COPY



TECHNICAL EXHIBIT  
PETITION TO MODIFY  
FM TABLE OF ALLOTMENTS  
CHANNEL 287 CLASS A  
Odessa. Texas

**Petitioner: Al Boyd**

**Narrative**

The technical exhibit of which this narrative was prepared on behalf of Mr. Al Boyd petitioner, in support of a petition to modify the FM TABLE OF ALLOTMENTS (47CFR 73.202(b)). In the petition the petitioner proposes to add FM Channel 287A, as a fully spaced Class A FM Commercial Service, to serve Odessa, Texas as that communities sixth FM Broadcast transmission service.

Channel 287A, if allocated to Odessa will require a site restriction. The restriction shall be 14 miles SW of the center **of** Odessa, Texas. The proposed facility may be located and meet all separation requirements and still.. cover the city of license with a 70 dbu contour.

As an aid in determining the feasibility of the proposed allocation. A suitable site within the area was chosen with the following geographical coordinates:

° ' ''  
31-42-51 North Latitude

° ' ''  
102-23-01 West Latitude

A separation study was conducted from this site and the results of the study are contained herein as exhibit 1. Additionally, the proposed application meets all separation

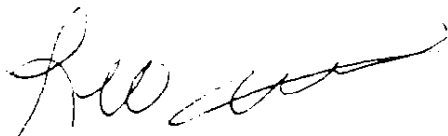
rules to Mexico. The allocation of channel 2872 at Odessa, Texas, meets all U.S. and foreign separation requirements.

There are currently five FM radio stations licensed to Odessa, Texas, KQLM FM 300C1, KHKZ FM 256C1, KODM FM 250C1, KMCM FM 245C1, KMRK FM 241C1, three AM stations, KRIL AM 14108, KOZA AM 1230C and KFLB AM 9208, and nine television assignments are licensed to this community, which is listed in the 2000 U.S. Census as having a population of 123,74 persons. The proposed allocation will provide Odessa, Texas with its sixth competitive local FM aural service.

For further information if required concerning engineering portion, please contact the undersigned.

August 10, 2002

MBC Consulting  
P.O. Box 433  
Mt. Vernon, TX 75457



Leo Ashcraft  
(903) 524-4166  
(903) 524-2260 FAX  
[engineer@mbcradio.org](mailto:engineer@mbcradio.org)

Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

Amendment of section 73.202(b)	)
Table of Allotments,	)
FM Broadcast stations,	)
Channel 287A (105.3 Mhz)	)
	)
(Odessa, TX)	)

To: Chief, Allocations Branch  
    . Mass Media Bureau

**PETITION FOR RULE MAKING**

AI Boyd (Petitioner), in pursuant to section 1.401 and 1.420 of the Commission's Rules, hereby requests the commission to amend section 73.202(b) of its rules, the FM Table of Allotments, to allot channel 287A (105.3Mhz) at Odessa, Texas in the following manner:

Community:	Existing	Proposed
Odessa, TX	Ch. 300C1	Ch. 300C1
	Ch. 256C1	Ch. 256C1
	Ch. 250C1	Ch. 250C1
	Ch. 241C1	Ch. 241C1
	Ch. 256C1	Ch. 256C1
		Ch. 287A

There is a channel allocation study prepared by NBC Consulting which demonstrates that channel 287A may be allotted to Odessa, Texas, in full compliance with minimum distance separation and principal community coverage requirements of the rules (Ibid., p.1, and Exhibit 1). There is ample area in which to locate a channel 287A facility.

Odessa, is an incorporated community and located in Ector County, Texas. Odessa has a population of 123,74 (2000 census). The proposed

channel 287A would be the sixth competitive local aural transmission service to Odessa and will provide additional diversity and an outlet for local self-expression to Odessa residents and therefore is in the public interest.


Petitioner hereby states that if the commission grants this petition, he **will** apply for the channel when it is allotted, and, if his application **is** granted, he will promptly **build** the station.

WHEREFORE, for the foregoing reasons. Petitioner respectfully requests the commission to grant this petition and to allot channel 287A to Odessa, Texas.

Respectfully submitted,

**Al Boyd**

By:

A handwritten signature in dark ink, appearing to read 'Al Boyd', is written over a horizontal line.

Al Boyd

Al Boyd  
3607 Thornason  
Midland, TX 79703  
(915) 694-4992

August 10, 2002

## EXHIBIT 1

### Allocation Study for Channel 287A - Odessa, TX.

CALL	CITY	ST	CHN	CL	DIST	S	BRNG	CLEARANCE
KACT-FM	ANDREWS	TX	288	A	72.07	72	347.0	0.07
KACT-FM	ANDREWS	TX	288	A	72.07	72	347.0	0.07
KKJW	STANTON	TX	290	C2	56.88	55	74.1	1.88
890313MD	STANTON	TX	290	C2	56.61	55	76.8	1.61
KLVT-FM	LEVELLAND	TX	287	C2	172.27	166	10.3	6.27
KTXC	LAMESA	TX	284	C1	85.72	75	27.8	10.72
KMMX	LAMESA	TX	284	C1	85.72	75	27.6	10.72
KWMW	MALJAMAR	NM	286	C	181.61	165	314.7	16.61
	GOLDSMITH	TX	234	A	37.12	10	305.4	27.12
KERB-FM	KERMIT	TX	285	C3	72.52	42	280.9	30.52
KERB-FM	KERMIT	TX	285	C3	77.23	42	274.2	35.23
KLVT-FM	LEVELLAND	TX	287	C2	203.79	166	2.4	37.79

*Datasource - Comstudy/FCC Database*